

1 IN RE THE MEETING OF THE }  
2 BAY-DELTA ADVISORY COUNCIL }  
3 \_\_\_\_\_ )

7 TRANSCRIPT OF PROCEEDINGS

8 Fresno Ramada Inn

9 324 E. Shaw

10 Fresno California 93710

13 Wednesda, April 22, 1998 at 7:00 p.m.

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1 MR. BOTTIVICH: I would like to welcome  
2 all of you to the second in a series of 17 hearings on  
3 the CALFED Bay-Delta Project. I will be presiding  
4 tonight, my name is Joe Bottivich.

5 Maybe if I stand up, some of you can see  
6 me because I am without a raised stage.

7 I will be presiding tonight. I am not  
8 part of the CALFED Project; but I will shortly be  
9 introducing a number of the people who are. My role  
10 is the Independent Hearing Officer tonight it is to  
11 try, with your help, to make sure that we have a  
12 complete unbiased independent record for the Bay-Delta  
13 hearings on the environmental report, environmental  
14 impact statement.

15 I am head of a small nonprofit that  
16 works throughout California, helping people find as  
17 much agreement as possible on contention issues. My  
18 background, relevant to what we will be talking about  
19 tonight is, that I was the First Executive Director of  
20 the San Francisco Bay Conservation and Development  
21 Commission; later the First Director of the State  
22 Coastal Commission, and still later I was Director of  
23 the Public Utilities Commission, which is, as many of  
24 you know, among other things, regulates all the  
25 privately owned, investor owned, water companies in

1 California.

2 As some of you have seen from the  
3 schedules at the back, there's a printed copy of where  
4 we will be all 17 nights. Last night in Ontario,  
5 tomorrow in Oakland. A week from tonight we will be  
6 in Bakersfield and on May 27, in Stockton, and there  
7 will be other hearings throughout Central and Northern  
8 California and Southern California.

9 The ground rules tonight I'll explain in  
10 a few moments; but the key ground rule is; in order to  
11 speak, please sign one of the yellow cards. They are  
12 on the table in the back. We are going to take people  
13 in the order in which we receive cards.

14 As I said, I will go over the ground  
15 rules again in a moment, just before we get started.

16 Now I know all of you who are here  
17 wishing to speak and those of you who come simply to  
18 get information, will be very pleased to know that a  
19 high number of the decision makers for the CALFED  
20 Bay-Delta Project are here with us this evening.  
21 They are sitting with me up here. I think I will  
22 introduce each one and then ask them to stand because,  
23 again, I appreciate seeing some of you crane your  
24 necks, that it is a little hard to see.

25 Ryan Broddrick is Chief Deputy Director

1 of the California Department of Fish and Game.

2 MR. BRODDRICK: Thank you for coming.

3 MR. BOTTIVICH: Katherine Clement is  
4 Assistant Regional Forester for the U.S. Forest  
5 Service.

6 MS. CLEMENT: Hello.

7 MR. BOTTIVICH: Bob Potter is Chief  
8 Deputy Director of the Department of Water Resources.

9 A.J. Yates is under Secretary of the  
10 Department of Food and Agricultural.

11 And also in the audience tonight are  
12 three members of the state-wide Bay-Delta Advisory  
13 Council. Marsha Sablaun, Mike Sterns, and Stewart  
14 Pyle.

15 Thank you all for coming and thank all  
16 of you for coming.

17 Before we begin hearing from you  
18 tonight, we want to go over, very quickly, what the  
19 subject of tonights' hearing is, why we are all here,  
20 what the Bay-Delta Project -- the CALFED Bay-Delta  
21 Project has done in these draft environmental  
22 documents. And to do that very quickly, I'll call on  
23 Rick Britenback of the CALFED Bay-Delta staff.

24 MR. BRITENBACK: Thank you.

25 Good evening everyone. My name is Rick

1 Britenback.

2 You have all been reading the documents,  
3 so you probably know a lot about what the program is  
4 all about. I see some smiles out there. So I'm not  
5 going to spend a good deal of time talking about a lot  
6 of particulars in the program; but I want to make a  
7 couple of observations that I think are important to  
8 bring out about the program. I guess I'll get into  
9 some particulars as I do it.

10 The first is, and I think it's  
11 important, who is a part of this program? I think  
12 when you look at this chart and you see the Governor  
13 and the Secretary of Interior sitting at the top of  
14 it, or they could be anywhere, I think their presence  
15 speak volumes about the importance, both the State and  
16 the Federal Government place on this program; and in  
17 seeing something done to fix the Delta, to fix the  
18 problems that are in the Delta.

19 What you don't see, but they are apart  
20 of the Bay-Delta program, are five State and ten  
21 Federal agencies, all with regulatory and/or  
22 management responsibilities for work in the Delta.  
23 They are all working with us on a daily basis and very  
24 interested in seeing that the problems of the Delta  
25 are fixed.

1 In addition to working with agencies, we  
2 do have an extensive public involvement process. As  
3 an example, we have the Bay-Delta Advisory Council and  
4 you met three of the members here of the council just  
5 a few moments ago. They have been appointed by the  
6 Governor and the Secretary of the Interior to work  
7 with us to find a way to resolve the problems in the  
8 Delta. Everyone on this chart is working hard to  
9 find a way to resolve the problems in the Delta. The  
10 Advisory Council is made up of about 30 different  
11 individuals from all facets of life within California.  
12 They provide advice to the program, they are part of  
13 work groups in the program, all actively involved in  
14 getting the work.

15 So what are the problems that we are all  
16 working on so hard? Well, first of all, there's a  
17 reduction in the reliability of water going to ag  
18 municipal areas. The habitat in the Bay-Delta system  
19 is on a decline. Water quality in the Bay-Delta  
20 system is degraded, or on the way to being there.  
21 Levees are deteriorating, the levees that surround the  
22 islands, the levees that provide the channels through  
23 the Delta are deteriorating.

24 In the past, people have taken the path  
25 of trying to resolve one or the other of these

1 problems, and they have come to good solutions; but  
2 the problem is, that they also often wind up in  
3 conflict with some of the other problem areas. So  
4 while they get one thing done, they wind up causing  
5 another conflict in another area.

6 What the program is trying to do that's  
7 slightly different, is come up with an approach  
8 reasonable solution that deals with all four of the  
9 problem areas; so we don't have those conflicts  
10 between those problem areas.

11 What do the alternatives look like?  
12 We have three very comprehensive alternatives that  
13 cover the full spectrum of actions that you could  
14 consider. These six are the same among all  
15 alternatives, and when you read your report; you will  
16 see them and refer to them as the common programs  
17 because they are all common to all alternatives.

18 There are two storage and conveyance  
19 elements, or components, that are different between  
20 the alternatives. This is how the alternatives vary.

21 Let me just step through these common  
22 programs, give you a sense of what we are thinking  
23 about.

24 With respect to water use sufficiency;  
25 the idea is to promote the most efficient use that we

1 can get out of the water that we currently have, as  
2 well as any water we might develop in the program;  
3 through water conservation, through water recycling,  
4 through transfers.

5 Speaking of water transfers, what we are  
6 trying to do is make it easier to move water between  
7 willing sellers and willing buyers; while at the same  
8 time, making sure that that resource area, where that  
9 water came from, is protected, or the resources and  
10 the source area where the water came from are  
11 protected.

12 Ecosystem Restoration Program. What we  
13 are trying to do there, is improve the habitat that's  
14 in the Delta. By improving the habitat, we can  
15 improve the species that depend upon the habitat. At  
16 the same time, we are trying to come across those  
17 improvements, we are fighting the actions and  
18 activities that cause problems, in the first place,  
19 that made the habitat decline.

20 Watershed Management. What we are  
21 interested there is coordinating the local management  
22 of watersheds. We want to see that there's active  
23 work within all the watersheds, but it's done at a  
24 local level rather than us stepping in or anyone else  
25 stepping in trying to run the show for them.

1 Water Quality Program. We are looking to improve the  
2 quality of water by treating the sources of the  
3 problems. And then lastly the Levee System Integrity  
4 Program. Basically, what we are looking for there is  
5 to try to restore the levees in the Delta.

6 The other two programs, Storage and  
7 Conveyance, I'm going to leave to you to look at on  
8 those poster boards in the back so you can get a good  
9 sense of the differences between what we are thinking  
10 about in each alternative with respect to storage and  
11 conveyance. How the water moves through the Delta.

12 You have been reading the document, you  
13 know it's made up a variety of different reports. I  
14 just want to focus on the content of a couple of these  
15 reports.

16 The first one is this main document, and  
17 this is basically where we talk about the consequences  
18 of the alternatives; what you normally see in  
19 environmental documents. I would suspect that those  
20 of you that have read environmental documents in the  
21 past have read what I call, "Projects Specific," or  
22 "An Action Specific," environmental document, where  
23 you get a good sense of what the alternatives are.  
24 They are very clear, very specific. We intend to do  
25 this and this and this.

1 You also, when reading those, you get a  
2 good sense of the consequences. If you do this, here  
3 is exactly what is going to happen. In reading our  
4 document, I know you have a sense of what we intend to  
5 do and the consequences; but it's certainly not the  
6 specificity that you are use to if you read a project  
7 -- specific document, and that's because we prepared a  
8 programmatic document.

9 We are not going to make a decision on a  
10 specific action. We are not ready to do that yet.  
11 What we are going to do is make a decision about a  
12 general direction of a program; and at the next stage,  
13 when we do identify it, we will do a sizeable amount  
14 of work to understand what those actions are and to  
15 disclose the consequences of those actions.

16 The other document is this Phase Two  
17 interim report. If you don't read anything else, I  
18 really encourage you to read that document. It takes  
19 you a step farther than the main document, in terms of  
20 consequence of the alternatives; but more importantly,  
21 what it lays out are all those issues that we really  
22 think that we need to tackle in order to get to  
23 preferred alternatives and I'll talk a little more  
24 about that tonight; but in there are the things that  
25 we think we need to deal with to get to the preferred

1 alternative.

2 Speaking about the preferred  
3 alternative, as you have noticed, we haven't made a  
4 decision yet. We don't have all the information to  
5 make the decision. All these issues, and these are  
6 some of them, and I'll speak about them in just a  
7 seconds, are still out there to be answered and we  
8 need to interact with a lot of people in order to get  
9 it done. We intend to interact with local, state and  
10 regional elected officials, we intend to interact with  
11 local interest, we intend to interact with  
12 Stateholders, all the CALFED agencies; to come to  
13 some solution -- with all of you, to come to some  
14 solution, some agreement on the solution; and so  
15 tonight, I'm hopeful that when you do talk about what  
16 you think about the program, you start answering these  
17 questions that you see up here.

18 Obviously, this evaluation of the  
19 program is one of the first things that you talk about  
20 when you review a document. How well did we do when  
21 we evaluated the consequences? Have we done a good  
22 job at a programmatic level, or have we failed some  
23 place? And we would like to hear from you as to where  
24 that might be.

25 What do you think about paying for this

1 program? Do you have any thoughts at all how this  
2 program should be paid for? We are talking about  
3 nine and a half to ten billion dollars. Do you think  
4 it should just be on whoever benefits from it pays for  
5 it? Should the public be part of who pays for it?  
6 Should it be a combination of both?

7 Any thoughts that you have along those  
8 lines, we sure like to hear about them.

9 Assurances. This program is going to  
10 take 25 to 30 years before it's all put together. How  
11 can we hold everybody together over that period of  
12 time so that everybody eventually gets that piece that  
13 they were really interested in? Those people that  
14 have to wait 15 years before their's starts coming in  
15 fluently? How can we hold everybody together? Those  
16 that have already gotten their's done, those that  
17 still need to have time to get it done. We are  
18 looking for your thoughts about that.

19 And then lastly, I talked about this, we  
20 are really interested in what you think about the  
21 preferred alternative. Having read the three --  
22 excuse me, read about the three in the document, what  
23 do you think about them? Do you think Alternative  
24 one is the way to go; Alternative Two, Alternative  
25 Three, or combination thereof? We would sure like to

1 hear about that tonight.  
2 What's next? Well, obviously, we just  
3 started our comment period. This is the second of 17;  
4 but what we intend to do is take all of your thoughts  
5 and everyone else's, and use that to help us improve  
6 the document that we already prepared. We are going  
7 to adjust it, based upon your input.

8 We are, obviously, going to select  
9 preferred alternative and then we will certify that  
10 the EIS and EIR and sign that record of decision.  
11 Hopefully, by the end of the year; and then we will  
12 start to implement that solution, 25, 30 years. Nine  
13 and a half, ten billion dollars.

14 With that, I'll conclude my  
15 presentation.

16 MR. BOTTIVICH: Thanks very much, Rick.

17 We do have some more chairs coming,  
18 there are still a couple of seats, there may be eight  
19 or ten way up in front.

20 Let me now cover the ground rules for  
21 our hearings tonight. They are the same ground rules  
22 we are using for all 17 of these hearings.

23 Number one; we have a Court Reporter, so  
24 we will have a verbatim transcript of everything that  
25 is said tonight. Second; as part of the

1 environmental impact process, every substantive  
2 comment will be responded to in the final document,  
3 that is, in a very real sense. The comments that you  
4 make do influence where this document goes. Number  
5 three; we will ask that people who speak, speak for  
6 three minutes, and we have a cute little signal light  
7 up here where a green light means that you got two  
8 minutes, a yellow light means one minute, a red light  
9 means there's a traffic cop coming after you. So, if  
10 the red light goes on, would you please wind up your  
11 comments.

12 Now I appreciate the three minutes is a  
13 short period of time, but that's by no means the limit  
14 of your opportunity to comment. Written comments of  
15 any length will, likewise, be considered; and you may,  
16 after you hear tonight's meeting, want to think  
17 something -- think some more about further comments that  
18 you'd like to make. Those may be submitted in  
19 writing before June first.

20 I think there's information about that  
21 in the back, if there isn't, ask any of the CALFED  
22 staff people; but, again, to be clear on that, written  
23 comments of any length may be submitted and will be  
24 considered up till June first.

25 Now, again, if you wish to speak

1 tonight, we ask that you sign one of the yellow cards  
2 because we will be taking people in the order in which  
3 we receive the cards.

4 Finally, I know a number of you may have  
5 some questions or raise some things that can stand  
6 debating and discussing; but in the interest of  
7 fairness to everybody who has signed up to speak, we  
8 won't really try to answer your questions or debate  
9 issues in the course of the formal hearing; however,  
10 you probably are already aware there are a number of  
11 CALFED Bay-Delta staff people and decision makers here  
12 and I'm sure any and all of them will be very willing  
13 to try to answer questions at the end of our hearing.

14 So if there aren't any questions, then  
15 let's begin. I'm going to call three speakers at  
16 first; we got a couple of chairs reserved here in the  
17 front row. Speaker number one will speak, I will ask  
18 that the second and third speakers to come up here so  
19 that we can move rather briskly through the speakers  
20 and we won't lose a lot of time with people coming out  
21 of the middle or rows; and then after that, I'll call  
22 one new speaker each time a person comes up to speak.

23 I hope that's clear, it will be a little  
24 clearer when we get started.

25 The first speaker will be Michael

1 McFarland of the Fresno Audubon Society. The second  
2 speaker will be Mayor Jim Patterson of Fresno; the  
3 third speaker will be Chris Tantau of the Tulare  
4 County Farm Bureau.

5 So Mr. McFarland, if you would get  
6 started and the other two would come up.

7 MR. MCFARLAND: Well, thank you.  
8 Needless to say I am here as an advocate for wildlife  
9 and the State's native fishery in salmon and  
10 steelhead.

11 I would hope that the CALFED Program  
12 does not underestimate the potential that can be  
13 achieved through water conservation as opposed to  
14 building new dams and reservoirs. This, I think,  
15 would be much less expensive for taxpayers and would  
16 greatly serve the needs of the State's wildlife and  
17 fisheries.

18 Secondly, I would like to talk about  
19 water quality. I would hope that the CALFED Program  
20 would institute a water monitoring process, and that  
21 overtime, work to achieve safer drinking water,  
22 cleaner for our fish and wildlife.

23 Thank you.

24 MR. BOTTIVICH: Thank you very much,  
25 Mr. McFarland.

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1 Mayor Jim Patterson, followed by Chris  
2 Tantau and then Supervisor Deran Koligian of Fresno  
3 County.

4 MR. PATTERSON: Thank you very much.  
5 It's a pleasure to be here. I am Jim Patterson, Mayor  
6 of the City of Fresno. I will be reading my prepared  
7 remarks. I have also provided a written transcript  
8 for you and I would like to present it to the record  
9 official as well.

10 I am the Mayor of Fresno, California.  
11 This is the city that agricultural built. Fresno,  
12 with its population of 410,000 people, has become the  
13 major population and metropolitan center for the  
14 Southern San Joaquin Valley. Fresno is a growing city  
15 and with big city advantages, and admittedly, it has  
16 its share of growing big city problems. But for all  
17 of our growth and the diversity of issues that we face  
18 every day, Fresno still is the number one city in the  
19 number one agricultural county in the nation. It is a  
20 position that we have held for four decades.  
21 Agriculture built this city and agriculture will  
22 continue to be the engine that drives our economy.  
23 Ever since the days of Moses Church and Anthony  
24 Easterby, who were among the first pioneers to use  
25 water from the Kings River to irrigate farmland in the

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1 1870's, water has been the fuel that has powered our  
2 agricultural engine.

3 In 1872, Easterby shipped 40 tons a day  
4 from his second wheat crop to San Francisco by rail  
5 from Fresno. Today, we have literally millions of  
6 tons of food products shipped by train, truck and  
7 airplan from Fresno to destinations throughout the  
8 nation and around the world. All of this is possible  
9 with a reliable, predictable water supply.

10 Our diversified agriculture relies  
11 on equally-as-diversified water sources. Groundwater,  
12 surface water from the Kings and San Joaquin rivers,  
13 surface water brought in from the Sacramento-San  
14 Joaquin River Delta make-up the major share of our  
15 region's water supply. Our various water  
16 infrastructures have taken a major role in creating  
17 the economy for our region and the state enjoy.

18 We may be 150 miles from the Delta, but  
19 we are very much connected to its hydrological  
20 outcomes throughout our productive Westside. That  
21 Westside depends on Delta water to produce the 50  
22 different crops, which make up about 25 percent of our  
23 County's 3.4 billion dollar ag production; and that is  
24 why I'm here today, to go on-record, and on behalf of  
25 the City of Fresno, to support the CALFED Bay-Delta

1 Program that addresses the needs to maintain the water  
2 quality and the environment of the fragile Delta; but  
3 also to emphasize the importance of restoring water  
4 supply reliability for agriculture in our region.

5 The CALFED Program provides us a unique  
6 opportunity to help shape our future, with all of the  
7 stakeholders at the table, urban, environmental and  
8 agriculture, hammering out a balanced, integrated  
9 program that allows everyone "to get better together."  
10 We know that maintaining the status quo in the Delta  
11 is not an option. The Delta is broken, we know it,  
12 and it must be fixed. That fix will include many  
13 elements to be successful.

14 The Draft Environmental Impact Report  
15 includes proposed solution packages, or alternatives,  
16 which include conveyance and storage facilities, as  
17 well as water use efficiency, water quality, Delta  
18 levee stability, ecosystem restoration, water  
19 transfers, and watershed management.

20 Conveyance and storage facilities are  
21 key elements to the program and are needed to address  
22 the current and long-term environmental and water  
23 supply reliability problems. Additional water storage  
24 facilities must be included in the final, selected  
25 preferred solution package, if our viable agricultural

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1 resource will continue to feed the rest of the nation  
2 and much of the world. That's not an overstatement.  
3 On average, each farmer in this State  
4 produces enough food and fiber to satisfy the annual  
5 demands of 97 people in the United States and 32  
6 people abroad.

7 I'm supposed to stop, right?

8 MR. BOTTIVICH: Right.

9 MR. PATTERSON: One component that has  
10 been discussed in the CALFED arena -- and I will  
11 depart from my prepared comments and get right to the  
12 point -- and I would like to submit the prepared  
13 comments -- taking 400,000 to 600,000 acres of San  
14 Joaquin Valley agricultural lands out of production is  
15 a solution that we cannot accept.

16 If we are going to take that kind of  
17 property that is dedicated to providing jobs and a  
18 strong economic foundation for our County, we might as  
19 well take our 14 percent unemployment rate and double  
20 it. That is a serious consequence and we highly  
21 recommend that whatever alternative is considered,  
22 please, under no circumstances, take much need  
23 agriculture out of production.

24 MR. BROTIVICH: sir, if you could rap  
25 up.



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1 MR. PATTERSON: With that, I'm going to  
2 conclude but I would like to have my full comments,  
3 which obviously now go longer than three minutes into  
4 the record, please.

5 MR. BROTTIVICH: Thank you, Mr. Mayor  
6 and; indeed, the comments will go into the record.  
7 Thank you very much.

8 Chris Tantau; then Supervisor Koligian;  
9 then Roger Reynolds of Summers Engineering.

10 MR. TANTAU: Hello. My name is Chris  
11 Tantau, I am representing Tulare County Farm Bureau  
12 and I have a brief written statement and, also, I  
13 think I got the most support for my arguments or  
14 concerns right out of your fax book; on page two,  
15 Bay-Delta at a glance. It supplies irrigation water  
16 for more than four million acres of the worlds most  
17 product farm land, which produced 45 percent of the  
18 nation's fruits and vegetables.

19 That's a pretty powerful statement and  
20 pretty power fact of how important it is for -- how  
21 important the agriculture is that is based on the  
22 Bay-Delta; and the Farm Bureau, we feel that; CALFED  
23 will not succeed with the Bay-Delta solution if they  
24 continue to base their answer on the redirection of  
25 agricultural water and the conversion of farmland to

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1 other uses. Farmers want CALFED to succeed, but  
2 cannot support a solution that adversely affects  
3 agriculture.

4 The CALFED solution must include  
5 additional surface water storage. Conjunctive use and  
6 waterbanking alone cannot provide enough additional  
7 capacity to meet California's water needs. California  
8 will need a water supply to service 50 million people  
9 while maintaining agriculture and the environment.  
10 The Farm Bureau supports both off-stream storage and  
11 options for increasing on-stream storage to answer  
12 Californians cry for water.

13 Farm Bureau agrees that these people who  
14 need these new supplies and will benefit directly from  
15 these supplies, must be willing to pay for them.  
16 Farmers who directly benefit from these new supplies  
17 will be expected to ante up to also get their share of  
18 a clean, reliable water source.

19 Farm Bureau understands that this new  
20 development will require a certain amount of  
21 agricultural land to be taken out of production.

22 As I just stated earlier how important  
23 this region is; the current CALFED proposal will  
24 convert a quarter of a million to half a million acres  
25 of prime farmland with very good water-rights is not a

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1 valid option for Farmers of California to support. We  
2 feel that you must minimize this because we show the  
3 importance of what a valuable region this is and the  
4 land in this region, to minimize this would be the  
5 best answer.

6 We understand something must be given  
7 up; but California farmland is a significant global  
8 resource and it's conversion must be minimized to  
9 create a solution that does not significantly impact  
10 California's largest industry.

11 California farmers currently depend on  
12 the water rights to maintain their livelihood and way  
13 of life. CALFED's best alternative must not diminish  
14 water rights, whether for farmers, cities, or the  
15 environment, and this solution must assure that water  
16 rights holders will be protected. If the current  
17 actions of CALFED are any clue as to how its eventual  
18 preferred alternative will work, then it is easy to  
19 see that the CALFED process will not be successful for  
20 California as a whole, because farmers cannot and will  
21 not support a solution that adversely affects  
22 agriculture as it is proposed at this time.

23 In regards to the speculation of a  
24 "peripheral canal," in Option Three -- Alternative  
25 Three, Farm Bureau believes this to be a moot point at

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1 this time. We are not in a position to prejudge what  
2 CALFED's water transport component may be until there  
3 is a guarantee of additional water storage.

4 We feel wide talk about building a  
5 better straw, if we can't fill the straw that we  
6 already have. I talked with Mark regarding the  
7 project this evening, you haven't made a big enough  
8 decision as to what kind of volume of off-stream  
9 storage there is and how a valuable a need would be  
10 for a peripheral canal.

11 So it's hard to decide if that  
12 Alternative Three is valid until you get some more  
13 concise amounts of water or off-stream storage there  
14 may be.

15 Overall, we feel the key to the success  
16 of CALFED is a political committment to the underlying  
17 goal that we all get better together. If all the  
18 participants in the process don't hold to the  
19 underlying committment, CALFED will fail in their  
20 attempt to solve the solution -- the Bay-Delta  
21 Solution.

22 MR. BOTTIVICH: May I ask you to rap  
23 up as well, sir.

24 MR. TANTAU: Basically, Farm Bureau  
25 wants to preserve as much as this productive farmland

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1 as possible and I just want to make that point  
 2 tonight.  
 3 Thank you.  
 4 MR. BOTTIVICH: Thank you, Mr.  
 5 Tantau.  
 6 Supervisor Koligian; followed by Roger  
 7 Reynolds; followed by Cheryl Lehn representing Cal  
 8 Dooley.

9 Supervisor?  
 10 All right. Well, if anyone sees him  
 11 come in, let me know and we will let him resume the  
 12 place he had.

13 Mr. Reynolds; and then Cheryl Lehn, and  
 14 then after, Nettie Drake of the Fresno County Farm  
 15 Bureau.

16 MR. REYNOLDS: My name is Roger  
 17 Reynolds. I am an engineer with Summers Engineering  
 18 and also co-chair of the Ag Water Management Counsel  
 19 that is mentioned in many locations throughout the  
 20 CALFED documents.

21 My comments tonight are related,  
 22 specifically, to the water use efficiency  
 23 component which attempts to focus on improvements in  
 24 local water use management and efficiency in the urban  
 25 ag and diverted environmental water use areas. One of

1 recommending that the pricing and measurement criteria  
 2 of the U.S. Bureau of Reclamation of water also be  
 3 followed.

4 Now some of the plans -- guidelines that  
 5 earlier said, the implementation objectives were that  
 6 they were going to insure a strong water efficiency  
 7 component in the Bay-Delta decision, and I support  
 8 that. They were also going to emphasize incentive  
 9 based actions over regulatory actions and also  
 10 attempting to preserve local flexibility. The  
 11 existing document does not do that.

12 They are stating that, if water is not  
 13 used in an efficient manner, if a plan is not put  
 14 together under the Water Management Counsel, that they  
 15 are threatening to push for legislative relief to  
 16 force ag districts to move forward in some type of  
 17 planning documentation; and they are also only going  
 18 to the Ag Water Management Counsel. They are not  
 19 talking at all about those Federal districts that are  
 20 putting plans together under the Water Conservation  
 21 plan plan of the Bureau.

22 I am also concerned about the fact that  
 23 the documents states that incremental ag savings  
 24 listed are only approximately a hundred and 25 to a  
 25 hundred 95 thousand acre feed, and the incremental

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1 the first statements that's mentioned in this  
 2 component is that less than one-third of the State's  
 3 ag lands served by irrigation districts are members of  
 4 the corresponding Ag Water Management Counsel that I  
 5 just mentioned.

6 I am concerned about the basis for this  
 7 statement. What is the basis for only one-third of  
 8 the ag lands are actually signed up in the ag water  
 9 management council? Under the Department of Water  
 10 Resources, under AB1658, seven or eight years ago, put  
 11 together a tabulation of districts that were already  
 12 serving over 50 thousand acre feet of water and that  
 13 tabulation only totalled 4.9 million acres of land.

14 The Ag Water Management Counsel at this  
 15 time has three million -- approximately three million  
 16 acres signed up and the Bureau of Reclamation under  
 17 the water conservation plan, itself, has about one and  
 18 a half million acres, but half of that is already  
 19 signed up, I understand, under the Ag Water Management  
 20 Council so, totally, if you put those two together,  
 21 you have approximately 4.8 million acres of land.

22 The emphasis here is, that CALFED is  
 23 making a statement later on in this component that to  
 24 be eligible to receive new water, transfers or drought  
 25 water from the California waterbank, that CALFED is

1 urban savings are estimated at four times that; and  
 2 there is major concern about that. There are  
 3 mandates given for ag; but there are no mandates given  
 4 for the urban counsel and urban water use.

5 MR. BOTTIVICH: Mr. Reynolds, you are  
 6 over your time as well, sir.

7 MR. REYNOLDS: Thank you.

8 MR. BOTTIVICH: You can submit all of  
 9 that for the record if there are things left to cover.  
 10 Thank you.

11 Cheryl Lehn, representing Congressman  
 12 Cal Dooley; followed by Nettie Drake of the Fresno  
 13 County Farm Bureau; followed by Deborah Nurley for  
 14 Congressman George Radanovich.

15 MS. LEHN: Good evening.

16 I'll be reading Congressman Dooley's  
 17 statement.

18 Thank you for allowing me the  
 19 opportunity to offer testimony today. While the  
 20 schedule of votes in Congress prevents me from  
 21 appearing personally, I am represented by Cheryl Lehn,  
 22 of my staff.

23 The Central Valley Project has made the  
 24 congressional district that I represent the most  
 25 productive agricultural region in the world,

1 providing a stable, abundant supply of high quality  
2 food and fiber for the entire nation and for our  
3 trading partners. In fact, if the four-county area  
4 that I represent -- Fresno, Tulare, Kings and Kern  
5 counties -- were a state, we would be ranked number  
6 four in the country in terms of agricultural  
7 production, just behind California, Texas, and Iowa.  
8 The CVP also includes features that control flooding,  
9 reduce serious overdrafts of groundwater and provide  
10 water and environmentally clean hydroelectric power  
11 for cities and industries.

12 The challenges faced by consumers of  
13 California water continue to increase, even in the  
14 midst of some very wet years, and in 1996, the voters  
15 of California passed Proposition 204 in an attempt to  
16 bring about a long-term solution to some of our  
17 greatest challenges in the Delta. Last year, the  
18 Clinton Administration and Congress approved \$85  
19 million dollars for the CALFED Bay-Delta Program, and  
20 the Administration has followed up with a \$143 million  
21 dollar request in the 1999 budget for continued  
22 support and assistance for this unique state-federal  
23 partnership. This public-private endeavor encompasses  
24 Federal and State agencies, businesses, farmers,  
25 consumers, economists and environmentalists who

1 support its emphasis on solving both water supply  
2 problems and ecological problems simultaneously.

3 As you may know, the CALFED Bay-Delta  
4 program has wide, bipartisan support in the California  
5 congressional delegation, and my colleague  
6 Representative George Radanovich and I recently  
7 coordinated an effort in the delegation to reaffirm  
8 our support for full funding of the Bay-Delta program.

9 I am here today to pledge my continued  
10 support for the program, because I believe that we  
11 have a historic opportunity to find coordinated,  
12 long-term solution to our water supply problems.  
13 However, this sometimes fragile coalition can only be  
14 maintained if each of the stakeholder's key goals  
15 continue to be of primary importance in the ongoing  
16 implementation of the program. No one can be left  
17 behind.

18 If the agriculture community detects a  
19 retreat on the commitment of the coalition to alleviate  
20 our water supply problems, the coalition will fall  
21 apart, and the Federal Government's commitment to the  
22 program will naturally be diminished. Make no mistake  
23 about it: The CALFED Bay-Delta program has always  
24 been about ensuring a reliable water supply as much as  
25 it has been about improving the environment.

1 The day that those twin goals are not  
2 met, is the day that the coalition is shattered. We  
3 must continue to work diligently to meet each of these  
4 goals, and as long as that commitment is there, I  
5 stand ready to continue to help build support in  
6 Congress and the Administration for the CALFED  
7 Bay-Delta program.

8 Thank you again for providing me the  
9 opportunity to testify today.

10 MR. BOTTIVICH: Thank you very much,  
11 Ms. Lehn. You covered a lot of ground and you did it  
12 in -- something under three minutes. Thank you.

13 Nettie Drake of the Fresno County Farm  
14 Bureau, followed by Deborah Hurley for Congressman  
15 Radanovich, followed by Russ Waymire from the Kings  
16 County Farm Bureau.

17 Ms. Drake.

18 MS. DRAKE: Thank you for allowing me  
19 to speak and for being here today to give some input.

20 The Fresno County Farm Bureau and many  
21 other growers and ranchers in Fresno County are very  
22 interested in what's happening here today and have  
23 some concerns with respect to agriculture and how  
24 agriculture is varying through this CALFED process.

25 One of the concerns -- one of many

1 concerns is the concept of water storage, where that  
2 falls in the priority list and the fact that there  
3 appears to be some concern that the way it's  
4 structured, that the storage issue will be dropped  
5 over the end, when push comes to shove, by the  
6 different groups interested in this process.

7 We, as agriculturalists, are concern and  
8 as citizens of the State of California, we understand  
9 that water storage is a key component to water  
10 quality, to the reliable source issue and to the  
11 betterment of California through the future.

12 In addition to that, I wanted to make a  
13 comment concerning the Watershed Management approach.  
14 I congratulate you for bringing that, that seems to be  
15 a concept that frequently missed. Watershed is where  
16 all the water starts; and if you don't take an  
17 approach to dealing with the watersheds and the  
18 contaminants coming from the watersheds, either by  
19 nature -- Mother Nature has her own way of making sure  
20 that we know she is there -- and also by use.  
21 Recreational use, agricultural use, habitat, wildlife,  
22 whatever; there is going to be -- that has to be  
23 addressed and it has to be dealt with.

24 In the past, that hasn't been  
25 necessarily the case, or it has been a very minimal

1 part. Watershed management is a good start to dealing  
2 with the water quality issues.

3 Another point that is of concern has  
4 been the idea of conjunctive use "potentially,"  
5 "possibly," "maybe," I have heard all three terms,  
6 during different discussions with different folks,  
7 being alternative to water storage issues. That  
8 creates a lot of concern and a lot of conflict with  
9 some agriculturalist in the idea that, when you have a  
10 drought, you really haven't stored anything and  
11 conjunctive use, it works in some areas but it's not  
12 going to work every where and we need to deal, again,  
13 with having water available when we need it on a  
14 reliable basis.

15 And to close, I think that you are doing  
16 a good job. I want to make sure that you understand  
17 agriculture is very important to the State of  
18 California, I'm sure you all know that, you have heard  
19 the numbers already tonight; and I want agricultural  
20 to be on the forefront of this discussion, not an  
21 afterthought.

22 Thank you.

23 MR. BOTTIVICH: Thank you very much,  
24 Ms. Drake.

25 Deborah Hurley; followed by Russ

1 Waymire; followed Phil Larson, President of the Fresno  
2 County Farm Bureau.

3 MS. HURLEY: Hello. I'll be reading a  
4 statement by Congressman George Radanovich this  
5 evening.

6 Thank you for the opportunity to convey  
7 my comments on the CALFED alternatives being discussed  
8 today. The CALFED agreement, which comprises a unique  
9 multiagency partnership that addresses ecological and  
10 water supply problems simultaneously, can be of  
11 significant value to our state.

12 I, along with many members of the  
13 California congressional delegation, have worked  
14 diligently to secure federal funding for this project.  
15 Bay-Delta was funded at \$85 million dollars in Fiscal  
16 Year 1998, and I fully support the Fiscal Year 1999  
17 budget request \$143 million.

18 As a farmer in the Central Valley, and a  
19 representative whose district includes the two largest  
20 agricultural producing counties in the nation, I am  
21 extremely concerned with any action that CALFED takes  
22 with respect to the agriculture community. It is  
23 essential for our state to implement a CALFED package  
24 that includes a balanced approach, which meets water  
25 supply needs, water quality objectives, and ecosystem

1 restoration in the Delta.

2 As it has always been intended, CALFED  
3 must address the importance of a reliable water supply  
4 to sustain the agricultural economy in our region.  
5 Water-use efficiencies must be applied to all  
6 stakeholders -- agricultural, environmental and urban.  
7 Additional conveyance and storage facilities are key  
8 elements to the program and must also be included in  
9 any final package.

10 As alternatives are discussed, the  
11 protection of private property is also a high priority  
12 of mine. Private property rights must be protected  
13 through the entire process. Furthermore, CALFED  
14 representatives or other federal and state bureaucrats  
15 must obtain written permission from landowners when  
16 conducting surveys or other biological work on private  
17 property. Any actions that violate landowners' rights  
18 are unacceptable.

19 Serious consideration of the  
20 socioeconomic impacts of each of the alternatives is  
21 essential during this process. Taking agricultural  
22 land out of production will not solve California's  
23 water problems. Agriculture is a nearly \$25 billion  
24 dollar industry in California. The livelihoods of  
25 farmers and others in local communities who are

1 dependent upon the production of farmland would be  
2 devastated in exchange for short-term, minimal gains  
3 in environmental protection that this unwise course of  
4 action might achieve.

5 While I am still evaluating my position  
6 on the various alternatives presented in the CALFED  
7 Bay-Delta Programmatic EIS/EIR, any final solution  
8 that is adopted must be equipped to handle the  
9 necessary improvements in the operation of the CVP and  
10 the State Water Project for the long-term  
11 environmental, water quality, water-use efficiency and  
12 flood protection needs for the future of the State of  
13 California.

14 Furthermore, any final solution should  
15 include the utilization of an open-channel isolated  
16 facility. Such a facility would provide the greatest  
17 flexibility in terms of future Delta operations,  
18 without abandoning the "common pool" concept of  
19 providing benefits to municipal and industrial and  
20 agricultural users alike.

21 California's water needs are best met by  
22 maximizing an "adaptive management" strategy for  
23 ecosystem restoration and water quality and efficiency  
24 improvements. Adaptive management means having the  
25 ability to quickly and easily take water to and from

1 different places in the Delta, at different time,  
2 using various amounts.

3 MR. BOTTIVICH: Ms. Hurley, you are  
4 somewhat over your time, could you kind of conclude.

5 MS. HURLEY: Sure.

6 MR. BOTTIVICH: You can submit it all  
7 in writing to us.

8 MS. HURLEY: In summary, the solution  
9 for California's water needs must include providing a  
10 reliable water supply and a healthy environment at the  
11 same time.

12 I appreciate your time, and I look  
13 forward to continuing the work of providing long-term  
14 solutions to California's water needs through the  
15 CALFED process.

16 Thank you.

17 MR. BOTTIVICH: Thank you very much.  
18 We got a number of people who want to speak, I  
19 understand these time limits are somewhat short; but  
20 it does let us hear from as many people and still have  
21 everybody home at a reasonable hour.

22 So Russ Waymire of the Kings County Farm  
23 Bureau; followed by Phil Larson, President of the  
24 Fresno County Farm Bureau; followed by Diane Sharp  
25 Johnson, President of the Westside Elementary School

1 two million acres of farmland here in the Central  
2 Valley.

3 A recent UC Davis study confirmed that  
4 during the ten year period between 1984 and 1994,  
5 contrary as to what many people believe, more  
6 California farmland has been already converted to  
7 environmental uses than what was converted to urban  
8 development. The real threat to ag land that so many  
9 profess that they want to save and the jobs that we  
10 have here in the Central Valley is reverting farms to  
11 fish and rabbit habitat.

12 Under the false premise that by doing  
13 so, they will solve California's long-term water  
14 needs.

15 To avoid the annual water wars, we need  
16 to consider an alternative that offers a long-term  
17 solution, 25 years or more. Alternative Three  
18 appears to provide this with increase storage for  
19 environmental flows and increased reliability of water  
20 for ag and urban uses. Unreliable water supplies  
21 here in the Valley already contribute to our  
22 unemployment rate, which is one of the highest in the  
23 nation.

24 As one of your flyers stated at the  
25 bottom, in one of the flyers, it says that the

1 District.

2 So Mr. Waymire.

3 MR. WAYMIRE: Thank you. I would like  
4 to start off -- I got four main points.

5 In 1992, George Miller, CPI legislation  
6 has already diverted an eight hundred thousand feet  
7 acre fee to 1.2 million acre feet from Central Valley  
8 Farms.

9 If this shortage is not restored, this  
10 will cause any where from between four and five  
11 thousand acres of farmland to retire eventually in  
12 itself.

13 Secondly, in the current CVPIEA  
14 implementing hearings that we have been attending,  
15 they are suggesting to an additional retirement of  
16 four to six hundred thousand acres to achieve the  
17 goals in implementing a plan that they are working on.  
18 Then thirdly, as we are here today, the CALFED process  
19 in the alternatives that, some water attorneys that I  
20 have talked to have indicated that the potential to  
21 retire one million or more acres under this plan to  
22 satisfy these objectives.

23 I think it's important that our elected  
24 officials and the public be made aware of the combined  
25 accumulative affect of retiring in the neighborhood of

1 solution that we look for cannot solve the problem  
2 that we are looking for by making problems worst here  
3 in the Central Valley. So I would like to make sure  
4 that we all consider that and that we have, like a  
5 sequel process to evaluate that accumulative impact;  
6 because many people are assuming that these projects  
7 are overlapping. In each one, talking about retying  
8 the same five hundred thousand acres or a million,  
9 it's not. They are separate; and whether it happens  
10 or not, let's deal with the facts so that we can face  
11 them and deal with them.

12 Thank you.

13 MR. BOTTIVICH: Thank you, sir.  
14 Thanks for coming from Hanford for the hearing  
15 tonight.

16 Phil Larson of the Fresno County Farm  
17 Bureau; Diane Sharp Johnson; and then Ed Petty from  
18 Mendota.

19 Mr. Larson.

20 MR. LARSON: Thank you. My name is  
21 Phil Larson; President of the Fresno County Farm  
22 Bureau.

23 Our Farm Bureau represents over seven  
24 thousand members who farm or have farm related  
25 businesses in the number one agricultural county in

1 the nation. Our county is part of the statewide  
2 California Farm Bureau Federation which has been  
3 actively following the CALFED issues.

4 I am here tonight to state the soft path  
5 route to fixing the Delta through more efficient water  
6 conservation efforts. If you are taking farmland out  
7 of production to reduce demand, it will not solve  
8 California's water problems.

9 Water storage and conveyance facilities  
10 must be included as the key elements in the ultimate  
11 CALFED fixation.

12 Water conservation. As a farmer in  
13 Kerman, and as a crop consultant on the westside of  
14 Fresno County, I am familiar with the limit and costly  
15 resource of both actual cost of water and the cost of  
16 supplying that water to the field.

17 In terms of labor and hardware.  
18 Farmers in our area do not waste water. It doesn't  
19 make sense environmentally; nor, economically. In  
20 fact, farmers on the westside of Fresno County have  
21 some of the highest irrigation efficiencies in the  
22 nation and have been singled out by the Department of  
23 Water Resources for their optimum efficiency ratings.

24 Because of the chronic water shortages  
25 in the seven of the last nine years, westside farmers

1 Joaquin Valley as an equally valuable resource?

2 I you are not convinced, perhaps our  
3 local newspaper articles and the Fresno Bee --  
4 something that agriculture and the Fresno Bee have not  
5 always agreed on -- but address these increasing  
6 losses of farmland from urbanization.

7 The Bee asked the question in a recent  
8 editorial; "How do we simultaneously save precious  
9 farmland? Create new well paying jobs? Observe the  
10 vast number of new comers everyone believes is coming  
11 to the valley?" Well, it's not by retiring farmland  
12 just to reduce the need for water development. I  
13 assure you.

14 Locally, Farm Bureau staff and members  
15 have spend countless hours in recent months to focus  
16 on responsible and workable regional planning efforts  
17 to preserve the valuable farmland resource we have in  
18 this county.

19 Conversely, here is CALFED, an  
20 environmental organization counting farmland  
21 retirement, upwards to two thousand acres on the  
22 westside of our county alone. Purely for its water.  
23 Locally, we are trying to preserve farmland on the  
24 eastside of the county from urbanization, while  
25 statewide discussions have centered on removing

1 have had to stretch every drop of water out of the  
2 system and any additional savings would be needed and  
3 be used be used by their neighbors.

4 There is no extra water develop for  
5 other uses through water conservation.

6 Land retirement. We have been told that  
7 the issue of land retirement is technically off the  
8 table as a strategy for reducing Delta exports through  
9 agricultural. However, some people in the  
10 environmental community in CALFED program continue to  
11 espouse the unsubstantiated benefits of taking  
12 farmland out of production to reduce the need for more  
13 water. The most recent proposal calls for the demand  
14 of reduction of retirement of, approximately, four  
15 hundred to six hundred thousand acres in the San  
16 Joaquin Valley.

17 Environmental and economic impact from  
18 taking farmland out of production in the Valley are  
19 just too costly. As a society, we must evaluate the  
20 full range of impacts that will result from such a  
21 large scale retirement and conversion of some most  
22 productive farmland in the world to other uses.

23 Water is viewed as a valuable resource,  
24 so is clean air and open spaces. Why then doesn't the  
25 CALFED Program recognize the fertile soil of the San

1 farmland for its water supply. It doesn't make sense  
2 to me.

3 MR. BOTTIVICH: Mr. Larson, you are  
4 running out of time as well. If you would --

5 MR. LARSON: One final comment.

6 It's in the best interest of everyone in  
7 this state, we remain focused on the giant task ahead  
8 of us. We must fix the Delta and we can't fix the  
9 Delta without additional storage.

10 Thank you.

11 MR. BOTTIVICH: Thank you, sir.

12 Diane Sharp Johnson; followed by Ed  
13 Petty; followed by John Giovanetti, Board member of  
14 the Western Growers Association in Heron.

15 MS. SHARP JOHNSON: Good evening  
16 everyone. My name is Diane Sharp Johnson, I am  
17 President of the Board of Trustees, Westside  
18 Elementary School District which is located in Western  
19 Fresno County, within Westlands Water District. We  
20 are about 154 square miles, serve about 360 students  
21 that feed in from about eleven different ranches.

22 Almost everyone lives in ranche-housing  
23 like I do; and we like ranch life and our little  
24 country school.

25 So I drove in from Five Points tonight

1 to talk about what a bad idea, bad public policy, land  
2 retirement would be.

3 As you heard from many people tonight,  
4 a lot of people in this room just don't think that's a  
5 good idea, and let me tell you why it wouldn't be good  
6 for the students and parents and teachers and  
7 employees. We employ about 50 people at the school.  
8 In addition to generating economic activity from the  
9 crops this land grows, privately owned farmland is  
10 critical to the tax base of rural counties.

11 Retiring farmland or converting it to  
12 habitat will change how these land are taxed burdening  
13 local Governments' with declining tax revenues. Our  
14 district has already seen the results from uncertain  
15 water supplies. During the early 1990's drought  
16 years, water supplies were cut substantially due to  
17 dry conditions and environmental regulations which  
18 limited the amount of water that can be brought into  
19 our area from the Delta.

20 During this time -- and this shows the  
21 pluck of the people in our area -- our school direct  
22 decided to propose a school bond issue for  
23 technological upgrades and classroom renovations were  
24 desperately need. Our voters approved the bond the  
25 first a time around on a 84 percent basis; which is,

1 as you know, is kind of rare and we got going. When  
2 SNP rated our bond, it was rated in the speculative  
3 range, which surprised the heck out of us. It was a  
4 BB, it was the highest in the speculative range; but  
5 still, speculative.

6 For some, the kind of economic power  
7 that we have been generating in our district for years  
8 and years. Few of the Board members went to San  
9 Francisco to discuss this and they found out that it  
10 was due to the small amount of the bond, it was 1.1  
11 million dollars; but also due to the uncertainty of  
12 the farming situation stemming from the -- the  
13 unreliable supply service water.

14 The farmers that went up there and were  
15 able to convince SNP to upgrade their bond, and we  
16 went ahead we our project and got it into the lowest  
17 rating of the normal muni-bonds, the BB minus.

18 I just want to make a plug for the  
19 families that have decided that they like rural  
20 living. My husband and I live on the ranch, we -- if  
21 the water supplies were to dry up, we would be okay,  
22 we are mobile; but a lot of the families that live  
23 near us have, for multiple generations, lived on the  
24 ranches in our areas, driven by the Federal water  
25 supply that has brought the economic boon.

1 I would like to hear from the people in  
2 the room, who also agree, that we got a good thing  
3 going in Westlands Water District -- let's have a  
4 "here, here."

5 We do a lot of great stuff and it would  
6 be silly to take farmland out of retirement and break  
7 up these families and make them move to town and get  
8 six dollar an hour jobs in town. Nobody wants that.

9 So let's keep the ranches healthy and  
10 thriving.

11 Thank you.

12 MR. BOTTIVICH: Thank you, Ms.  
13 Johnson. You, likewise, covered a lot of good ground  
14 in less than three minutes. Thank you.

15 Ed Petty from Mendota; followed by John  
16 Giovanetti; followed by Alfonso Sierras of the Mendota  
17 Unified School District.

18 Mr. Petty.

19 MR. PETTY: I am from the City of  
20 Mendota and I would like to talk about something  
21 that's economically feasible, politically feasible and  
22 justifiable. It isn't justifiable to have double  
23 digit range on the eastside, single digit range on the  
24 westside.

25 It isn't feasible to have double digit

1 unemployment on the westside and then the problematic  
2 areas with flood waters and things of that concern.

3 What I would like to see is coming  
4 together with everybody and not everybody just having  
5 their own agenda; but having listened to other people  
6 concerns and include everybody in the state, in the  
7 environmental issues and include everybody with the  
8 water supply reliability and water quality.

9 The flood problems at the lower San  
10 Joaquin River shortly will be problematic because  
11 there's over 11 thousand cubic foot coming down the  
12 San Joaquin River now. These waters can be diverted  
13 with the conveyance channel, and I'm talking about  
14 helping the Central Valley region in the lower San  
15 Joaquin River area.

16 There's a 25 million dollar cross canal,  
17 and it's nine mile canal which is a conveyance channel  
18 that could carry the waters from the San Joaquin  
19 River, out the problematic areas at this point in  
20 time, put them in the California Aqueduct and store  
21 them up at Panoche Silver Creek.

22 Now the reason why I mention Panoche  
23 Silver Creek is that you have to look at water storage  
24 facilities that are going to benefit people in many  
25 ways. Panoche Silver Creek has a runoff and it's been



1 going through the City of Mendota, pass the high  
2 school of Mendota and plaguing us as far as I can  
3 remember in the 40 year period that I have lived in  
4 the area.

5 It's something that I we tried to adjust  
6 and tried to control; but there are some times that we  
7 cannot handle. At the same time, we want to talk  
8 about the Central Valley region, north of Westland's  
9 water district where the sedimentation gathers into  
10 the water district canals and interferes with the  
11 infrastructure and operations.

12 In conjunction with that, those flows of  
13 sedimentation get into the Mendota Pool and interfere  
14 with irrigation waters being delivered into the four  
15 entities. That's a bad situation that has to be  
16 addressed, and will have to be addressed from time to  
17 time. I thinking they are looking at a five hundred  
18 thousand dollar project presently to clear that area.

19 In conjunction with that, we have to  
20 talk about Southern California, and there are people  
21 here from Southern California that need water. There  
22 is a waterbanking program that Arvin Edison's is  
23 talking about now. Why can't some of that 2,647,000  
24 acre foot of water storage in Panoche Creek, why can't  
25 some of that go to Auburn? Westland's water uses a

1 students of the Mendota Unified School District, and  
2 if I may expend on that.

3 After talking with a number of my friends  
4 from the surrounding communities, and say that I am  
5 representing a large number of students from Western  
6 Fresno county schools and communities.

7 I would like to begin by giving you an  
8 equation. The equation is, water availability, plus  
9 jobs, plus education, equal good healthy futures.

10 I am willing to bet that a lot of us, or  
11 most of us remember our math teachers when we were  
12 going to school; and one of the things that they  
13 always told us about solving equations, or solving  
14 problems, or unknown variables, that whatever you did  
15 for one side, you had to do for the other side in  
16 order to keep the-equation equal.

17 Well, if we were to take, let's say,  
18 education out of that equation, out of that one side,  
19 it would have an affect -- it would have a negative  
20 affect on the other side of the equation. In this  
21 case being good healthy futures.

22 If we were to take jobs out of that  
23 equation, it would have the same negative impact to  
24 the other side of that equation. Water availability,  
25 again, would have a negative impact on the other side

1 million acre foot from the Sacramento Delta, on an  
2 annual basis? Why can't we leave that million acre  
3 foot in the Delta for sea enclusion, for fish?

4 We talked about -- I'm sorry the time is  
5 over?

6 MR. BOTTIVICH: Yes.

7 MR. PETTY: I got a 14 page draft here,  
8 and it is a rough draft and it will polished and I  
9 will bring another draft back, and I'll have support  
10 of the full City Counsel after the meeting on the  
11 28th.

12 MR. BOTTIVICH: All right. Thank you  
13 very much, sir.

14 John Giovanetti of the Western Growers  
15 Association; followed by Alfonso Sierras of the  
16 Mendota School District; and then Chris Campbell of  
17 the Fresno Chamber of Commerce.

18 Mr. Giovanetti. Okay. Well, likewise,  
19 if anybody sees him come in, let me know.

20 Mr. Sierras; followed by Chris Campbell  
21 of the Fresno Chamber of Commerce; followed by Brent  
22 Graham of the Tulare Lake Basin Water -- I can't read  
23 the writing but Mr. Graham, you know who you are.

24 MR. SIERRAS: Good evening.

25 I am here this evening representing the

1 of that equation.

2 Talking about jobs as it pertains to  
3 that equation, it's very important, and for some of  
4 you who do not understand how schools derive their  
5 funding, the State gives you a revenue limit, any  
6 where from about 35 hundred to five thousand dollars  
7 per student. That is multiplied by your ADA, which  
8 is your average daily attendance. The availability  
9 of jobs has a tremendous impact on your ADA. We  
10 documented that at Mendota Unfiled School District,  
11 I'm sure other communities have that same type of  
12 documentation. You have to have the jobs.

13 People, more specifically parents, need  
14 to be working to take care of their children. They  
15 are going to leave, they are going to migrate where  
16 ever the jobs are. Without the availability of  
17 water, communities, such as Mendota which rely on  
18 agricultural businesses, are going to be impacted  
19 negatively.

20 You know, we hear a lot of talk about  
21 people getting off welfare, less Government, people  
22 doing more for themselves; the people of Mendota --  
23 and I'll tell you a little bit about them -- 98  
24 percent, 99 percent are Hispanic; very, very poor  
25 people. But about ten years ago, they took it upon



1 themselves to bond themselves for approximately 18  
2 million dollars to build a high school. That's  
3 indicative of how valuable education is to these  
4 people.

5 Please, in your decision making,  
6 remember these people, their children, children of  
7 other rural communities that depend on water for jobs  
8 and their futures. I believe you people are good  
9 people, you are fair people, most people are. You  
10 have a difficult task ahead of you; but together as  
11 Californians', I think we are going to come up with  
12 some good solutions.

13 I appreciate the opportunity to speak to  
14 you tonight.

15 Thank you.

16 MR. BOTTIVICH: Thank you very much,  
17 Mr. Sierras.

18 Chris Campbell of the Fresno Chamber of  
19 Commerce; followed by Brent Graham; followed by Alene  
20 Taylor, Supervisor of Kings County.

21 MR. CAMPBELL: Good evening. My name  
22 is Chris Campbell, I'm chair of the Water Resources  
23 Committee for the Fresno City and County Chamber of  
24 Commerce.

25 We have heard a lot about agricultural,

1 and that's important; but the key is that the  
2 reliability of water supplies is crucial to every  
3 business and every resident in Fresno County and,  
4 really, in the entire San Joaquin Valley. The  
5 imported water is essential for the economy in this  
6 entire region. We  
7 are expecting that there will be about twelve million  
8 people in the San Joaquin Valley by the year 2020.  
9 Those people are going to need jobs in a vibrant  
10 economy, and unless something changes dramatically,  
11 that economy is going to be based on agriculture as  
12 the basic industry that makes everything work.

13 To accomodate all of that growth and the  
14 agriculture as close as possible to current levels, we  
15 are going to need to stretch every drop of water that  
16 we currently have available to us now. We can't a  
17 afford to lose any water through the CALFED process.

18 To accomodate the growth in a way that  
19 works and preserves every acre of ag land possible,  
20 the Fresno Chambers, along with the Fresno Farm  
21 Bureau, the Fresno Business Counsel, and the Building  
22 Industry Association; working with the American  
23 Farmland Trust, has formed a growth alternative  
24 alliance. We are trying to work proactively as the  
25 first one in the nation of all those groups working

1 together to try to encourage compact growth in the  
2 cities in Fresno County and, hopefully, it will expand  
3 through outline counties, to preserve every acre of ag  
4 land to keep the cities from growing out and gobbling  
5 up ag land as they have been.

6 In the Bay Area and in Southern  
7 California, because as this area grows, we are really  
8 trying to hang on to our ag production. There's a  
9 lot we can do locally, but narrowing streets,  
10 promoting infill, all of those things will really be  
11 for not if CALFED considers an alternative that takes  
12 four hundred thousand acres out of production in this  
13 area.

14 We can't afford four hundred thousand,  
15 we can't lose 20 thousand acres because of a lack of  
16 water with what the challenges we are facing over the  
17 next 25 to 50 years.

18 So we encourage you to keep that in mind  
19 in reviewing the alternatives.

20 Thank you.

21 MR. BOTTIVICH: Thank you very much,  
22 Mr. Campbell.

23 Brent Graham; followed by Alrene Taylor,  
24 Supervisor of Kings County; followed by Jim Vectoon --  
25 I hope I am pronouncing it correctly -- of the Kings

1 Farm Bureau.

2 MR. GRAHAM: The district was the  
3 Tulare Basin Water Storage District, I was trying to  
4 abbreviate it.

5 MR. BOTTIVICH: Thank you.

6 MR. GRAHAM: But, the district in  
7 addition to the local water supplier, we are also the  
8 second largest agricultural state water project  
9 contractor.

10 We have been involved in the Delta, or  
11 the Delta accord, in its early formation and support  
12 that; have also supported the extension that it went  
13 through one year. We are also a very much supporter  
14 and committed to the Bay-Delta process. The process  
15 that would provide a better environment in ecosystem  
16 reiteration in the Delta, as well as much need water  
17 supplies for ag and urban throughout most of the  
18 State.

19 Funding for program is off to a grand  
20 start. As you know, the voters in 1996 passed  
21 Proposition 204, subsequently got 80 million dollars  
22 from the Federal Government and, hopefully, a hundred  
23 and 43 million dollars this next fiscal year.

24 It is truly an opportunity to pull the  
25 State and Federal regulatory agencies together to

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1 solve a major problem in the Delta by assuring a  
2 healthy ecosystem, as well as a water supplies to meet  
3 the needs of a growing state as a sustainable  
4 agricultural industry. However, some of the things  
5 that apply, or have been appearing in the draft  
6 document, raises some concerns. I know the permanent  
7 land retirement one is going to be talked about quite  
8 a bit. I'm not going to be going into that except  
9 that we did note that there was 140 thousand acres in  
10 our district that was to be taken out on permanent  
11 reduction, so that did catch our attention and I'm  
12 sure we will talk volumes in our comments before June  
13 one.

14 Another item that was brought up on day  
15 one of CALFED was water supply of reliability on the  
16 program objectives. We were all asking, at least on  
17 the water supply side, where is the water supply  
18 objective, or increased water supply? That would  
19 give us some assurance that the CALFED recognizes the  
20 necessity that more water would have to be exported in  
21 the Delta in order to meet all of California needs.  
22 It seems that the term, "increased water supply from  
23 the Delta," is an untouched, untalked subject among  
24 CALFED but it's a reality one.

25 The one item I wanted to focus on, and

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1 Mr. Reynolds talked about this a little bit, was the  
2 water efficiency componet. We have been involved,  
3 our district, on the AB3616 from its inception back in  
4 in 1990, Kelly's Bill 3616; and the process that we  
5 are going through now on AB3616, I feel very  
6 supportive of our district, it has signed the MOU; it  
7 is a means by voluntarily going out in the ag  
8 community to sign the MOU so that they can document,  
9 not only what they are doing in conservation but ways  
10 they may be able to increase conservation within their  
11 district.

12 I think the carrot and stick approach  
13 that CALFED has in that document is a wrong way to go.  
14 There was a work group on water use effieciy that was  
15 set up by CALFED, the staff presented a paper, they  
16 couldn't get consensus, the work group was disbanded.  
17 That paper went on up to BEDAC, and that is documented  
18 in the component as being the consesus of the  
19 waterwork group -- water efficiencies work group.  
20 That is not correct. Ag has not been considered,  
21 consulted or even asked as to their opinions what's in  
22 that document. I feel a little bit slighted that's  
23 coming out now in a consensus of that work group,  
24 which it never was.

25 We support additional conservation. You

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1 are going to have to have storage, you are going to  
2 have conveyances; but there has to be a balance need  
3 in this whole process. We continue to support it and  
4 hope this thing will be a benefit in environment,  
5 urban and ag at the end.

6 MR. BOTTIVICH: Thank you very much,  
7 Mr. Graham.

8 Supervisor Arlene Taylor; followed by  
9 Jim Vectoon; followed by Dennis Fox of OSCC.

10 MS. TAYLOR: Hello. My name Arlene  
11 Taylor, I'm a member of and I represent tonight the  
12 Kings County Board of Supervisors. Kings County will  
13 file a formal detailed response to the draft  
14 programmatic EIR/EIS by the deadline.

15 Of course, the most disturbing thing for  
16 Kings County is the-prospect of losing a hundred and  
17 50 thousand dollars or more acres of productive job  
18 suppling and farm ground.

19 As a supervisor, I look at the loss of  
20 tax revenues to a county that only functions now  
21 because we have employees that work efficiently and  
22 are innovative in stretching the dollars to the  
23 maximum; and I would have to wonder where we are  
24 going to make the cuts necessary if we lose these tax  
25 dollars.

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1 Also, as the supervisor, I look at the  
2 unemployment; not only of farm workers but people  
3 working in agricultural related or dependent  
4 businesses at a time when we can't find jobs for those  
5 leaving the welfare roles. I look at the fact that  
6 crime went up in our county during the drought years  
7 and logic says will go up when land is idled and jobs  
8 lost. Our jails are over crowded now, so where are we  
9 going to put these people?

10 These are significant redirected impacts  
11 to Kings County.

12 My next comments were all on how  
13 important agriculture is to our county, our state and  
14 our nation, but if you haven't got that massage by  
15 now, I'm not going to give it to you. So I will pass  
16 those. And Kings County joins others tonight, urging  
17 you to see the big picture, develop a plan that does  
18 not solve one problem by exasperating another.  
19 Instead, wisely balances, the legitimate needs of the  
20 Bay-Delta, the environment, the business and  
21 agriculture industries.

22 Everyone has to benefit from CALFED  
23 process or it will not work; that includes Kings  
24 County and the San Joaquin Valley; and I thought it  
25 was just me, but when I skimmed through your -- I

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1 haven't read the whole thing; but I just got a feel  
 2 for -- that's it's not balance, that there is more  
 3 weight given to ecosystem development, and levees, and  
 4 wildlife than to farming and ag in the San Joaquin  
 5 Valley; and I also think that there is more weight  
 6 given to idling farm ground or efficiencies; and I  
 7 think that these are overrated. I don't think that  
 8 these savings are there, instead of storage. That you  
 9 are avoiding the issue, which is, you know, really  
 10 going to be a political nightmare; but storage is  
 11 vital conveyance of that water to our area where it's  
 12 needed, it's vital; and, you know, you can go around  
 13 it all you want, but the bottom line is, that you are  
 14 going to have to deal with that issue; and that it's  
 15 not going to be put to the end of the process; unless  
 16 there are assurances that may be at the end of the  
 17 process, but it will get done, and even then, I don't  
 18 know that ag is going to buy into this, and I think  
 19 you need ag.

20 But, I like your process, I think you  
 21 are going the right way and eventually, maybe you can  
 22 bring everybody to play fair and to realize that  
 23 everybody has got win or nobody does.

24 Thank you.

25 MR. BOTTIVICH: Thank you very much,

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1 Supervisor Taylor.

2 We are going to need to give our Court  
 3 Reporter a few moments so his hands don't fall off and  
 4 we miss the next speaker statements. So, if we can  
 5 take a ten minute recess and let hem limber up then we  
 6 will resume in ten minutes.

7  
 8 (RECESS TAKEN)

9  
 10 MR. BOTTIVICH: When we left off, our  
 11 first speaker was scheduled to be and is now Jim  
 12 Vectoon from the Kings Farm Bureau; followed by Dennis  
 13 Fox of OSCC; followed by Richard Moss of the Firant  
 14 Water Users Authority.

15 Mr. Vectoon.

16 MR. VECTOON: Well, thank you for  
 17 having this hearing down here in one of the most  
 18 affective areas of the state. It's going to be  
 19 affected by the decision that you are going to make.  
 20 I've been listening to a lot of friends, neighbors and  
 21 people talking about decisions that's they are relying  
 22 on you folks to make to keep them in business and to  
 23 keep this place productive.

24 One thing I want to make sure is, land  
 25 retirement is not water development. In a lot of

1 instances in this document, it's treated as water  
 2 development. It is not.

3 Alternative One will not help the water  
 4 reliability of this area because you are still subject  
 5 to all the environmental degradation, the reverse  
 6 flows, the fishery degradation that occurs in the  
 7 Delta, gives no reliability to us. It will certainly  
 8 just continue to dry this area up, as you see right  
 9 now. I call the Alternative Number One, "The Yugo."

10 MR. BOTTIVICH: You want to spell that  
 11 for the Reporter.

12 MR. VECTOON: Y-U-G-O, I guess.

13 Alternative Number Two, I will call,  
 14 "The Chevy," and the Chevy is the Delta facility that  
 15 simply widens the existing channels that allows more  
 16 water to move from the North Delta to the South Delta,  
 17 upstream from the pumps. It will help eliminate the  
 18 reverse flow of the San Joaquin River, which is  
 19 causing the killing and lost of the salmon.

20 This is one that agriculture can live  
 21 with, it's still subject to some of the endangered  
 22 species that some of the other things that do not give  
 23 the reliability that Number Three will give.

24 Number Three is what I call, "The  
 25 Cadillac." Now, "The Cadillac" is going to give us a

1 lot of reliability because it takes water upstream  
 2 from the Delta. It's not subject to the same  
 3 curtailments that Alternative One and Two are subject  
 4 to. It gives to the highest quality water at the  
 5 export pumps, and if operated in an environmentally  
 6 sound manner, it gives the most flexibility, and  
 7 probably the most quality, to the Delta, as well as  
 8 the export reliability.

9 This area cannot afford to have the  
 10 successful conclusion to this process; and that means,  
 11 storage, that means water storage; but water storage  
 12 with Alternative Number One, upstream from the Delta,  
 13 does not give us good -- downstream from the Delta  
 14 give us no good because you can't have the water  
 15 across. So store it North, you got the guy to the  
 16 north, but you can't get across to the South. You can  
 17 build a storage in the South, you still can't get  
 18 water from North to South, you got an empty storage.

19 So Alternative Two, being very  
 20 acceptable to the agriculture, very acceptable to the  
 21 Delta people, because everyone has got their straw out  
 22 of the same bucket. In other words, they can't draw  
 23 salt water back up in there and still have good water  
 24 at the pumps.

25 I am out of time, but the flexibility of

1 Alternative Number Three is the best quality and the  
 2 most reliability source.  
 3 Thank you.  
 4 MR. BOTTIVICH: Thank you very much.  
 5 Dennis Fox; followed by Richard Moss;  
 6 followed by Dan Nelson of the San Luis Delta Mendota  
 7 Water Authority.  
 8 Mr. Fox.  
 9 MR. FOX: Yes. I am Dennis fox and I  
 10 would like to say I kind of prefer the Yugo right at  
 11 the moment.  
 12 Before I get into that, though, I would  
 13 like to comment on the adequacy of the document. It  
 14 is generally adequate; however, I find that being a  
 15 programmatic document, and that's for the lifetime of  
 16 the thing, things are going to change and it should be  
 17 addressed.  
 18 For example; EPA rules for air quality  
 19 are going to incrementally change; therefore, you  
 20 should have contingency planning, even though you are  
 21 going to have adapted management. It should be  
 22 considered a given.  
 23 Two; is the program -- I prefer the  
 24 Alternative One at the present time for several -- I  
 25 would like to see it for several years because there

1 Ag retirement is not acceptable. It  
 2 would eat up the restoration product; therefore, it's  
 3 just a strawman for fund raisers. I would not  
 4 believe in fees on retired land, it should go to  
 5 counties that you would have unwise land use or water  
 6 use practices. This is only fair to these counties  
 7 that do give plenty to them.  
 8 I believe we need an alternative, the  
 9 zone benefit pricing; because that makes -- when ag  
 10 costs are paid by urban use, it's a disincentive for  
 11 ag demand, for urban conservation. Many points of  
 12 the document can be more cost efficient, it needs  
 13 constant input, ag experience would be helpful; but  
 14 conservative and constructive criticism has not been  
 15 forth coming from this end of the Valley.  
 16 Perhaps continued would help, and  
 17 triggers should be in place before further  
 18 construction proceeds.  
 19 Thank you.  
 20 MR. BOTTIVICH: Thank you, Mr. Fox.  
 21 Richard Moss of the Friant Water Users  
 22 Authority; followed by Dan Nelson; followed by Dale  
 23 Melville of Provost & Pritchard of Fresno.  
 24 MR. MOSS: Good evening. I am here  
 25 tonight on behalf of Friant Water Authority, 25 member

1 is common analogies to two and; three, and it can be  
 2 folded into them. I don't assume that you are going  
 3 to be doing peripheral canal within the next 90 days.  
 4 The third alternative should come last,  
 5 because I believe the concentration should be on  
 6 levees first and not just levees alone. All levees  
 7 going down; because this is a safety issue.  
 8 I notice people here are not that  
 9 interested in levees being lost in Marysville; but I  
 10 think that should be prime or important. I think,  
 11 also, you would have more assurances that would be  
 12 held, fear of not getting what would be done as a good  
 13 motivator, you would keep -- especially keep ag active  
 14 in the process.  
 15 Conservation, especially urban  
 16 conservation, would be forgotten. Notice when the gas  
 17 lines went, everybody was dragging their sport utility  
 18 vehicle around, snow bound Los Angeles, and I would  
 19 keep a motive going.  
 20 I believe in separate pricing, all  
 21 around; or even ag discounts when conjunctive use  
 22 with a negotiated cap. Urban incentives to convert  
 23 the different types; and I hate to bring this up, the  
 24 "M" word, especially in Fresno, even meters and things  
 25 like that.

1 agencies, collectively as well as individually; so by  
 2 my math, if I finish any time less than an hour and 15  
 3 minutes, I should be ahead of the game.  
 4 Thank you for coming to Fresno tonight.  
 5 I want to first applaud CALFED staff for doing, what I  
 6 believe, is a commendable job of narrowing down a huge  
 7 array of issues down to a manageable set of  
 8 alternatives that we, as a public, can try to get our  
 9 arms around.  
 10 It should be noted; however, that the  
 11 tough work is really ahead of you, in terms of  
 12 narrowing that down to a preferred alternative and  
 13 then selling that to the public in large and I  
 14 appreciate all your hard efforts.  
 15 We are part of the Southern San Joaquin  
 16 Valley, a region that is chronically watershed; Ballot  
 17 16098 recently referenced the fact that the regional  
 18 has a water shortage on the order of a million acre  
 19 feet a year, has to manifest itself to ground water  
 20 overdraft.  
 21 We have three major concerns or points  
 22 that need to be made tonight relative to the CALFED  
 23 solution. It must result in real water, water for our  
 24 region. We want assurances that will result in new  
 25 water supplies. It must result in real water that

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1 affordable to our region. Pricing us out of new  
2 water supplies is not acceptable and flexibility is  
3 the key to the preferred alternative, which  
4 alternative provides the greatest flexibility.

5 Relative to real water. We continue to  
6 be concerned about the verbage water supply  
7 reliability. If water supply reliability means less  
8 water, more often, we are not interested. We are  
9 learning to live with less of an economy as a results  
10 of less water supply, and as a results of taking land  
11 out of production. We are not interested.

12 The soft path components for water  
13 management cannot replace the need for new facilities,  
14 more storage, more conveyance. We do appreciate the  
15 effort in the documents that's trying to differentiate  
16 between applied water versus real water. We are still  
17 concerned; however, that the soft task elements are  
18 over stated as a solution.

19 These are all things. The soft tasks  
20 are all things that we do in managing a drought. If  
21 you take all the flexibility out of the system, in  
22 trying to provide for average water supply years, it  
23 leaves you nothing, in terms of being able to manage  
24 the drought situation.

25 Affordability is a key component. The

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1 solution must be affordable to the San Joaquin  
2 agriculture. Don't price us out of benefiting in the  
3 CALFED solution. Don't let the San Joaquin Valley  
4 agriculture get segregated out of the common pool  
5 concept by virtue of what we can afford.

6 We support the notion of those who  
7 benefit directly, will pay for the direct benefits  
8 that receive; however, we also support the notion that  
9 those benefits that are brought in nature; especially  
10 the environmental aspects, should be brought among the  
11 public.

12 The cost of financing issues are a very  
13 touchy issue but really have yet to be addressed by  
14 the CALFED folks and that's where a lot of the  
15 negotiations has yet to occur.

16 Flexibility is a key criteria to  
17 selecting a preferred alternative. It is clear that  
18 we don't really understand all of what the Delta  
19 needs; thus, the concept of adapted management.  
20 Adapted management, itself, speaks for the need for  
21 flexibility as an essential program concept.

22 Clearly, the most flexible alternative  
23 that you have in front of you now is the Third  
24 Alternative with storage, allowing water to be  
25 exported at various times, at various amounts, at

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1 various locations in order to be flexible and the most  
2 affective, relative to adapted management within the  
3 Delta.

4 MR. BOTTIVICH: Mr. Moss, you are  
5 running a little overtime.

6 MR. MOSS: Thank you and I appreciate  
7 you being here.

8 MR. BOTTIVICH: Thank you, sir.

9 Dan Nelson; followed by Dale Melville;  
10 followed by David Orth of the Westlands Water  
11 District.

12 MR. NELSON: I got a little bit of a  
13 dilemma here. I got a call this afternoon from  
14 Congressman Condit and he has asked me to submit a  
15 statement on his behalf and I would like to read that;  
16 and I also have some comments of my own, and so I'm  
17 hoping you could be somewhat lenient, but I will see  
18 what I can do here. This is from Congressman Condit.

19 I would like to thank the CALFED Program  
20 for the opportunity to submit this brief statement at  
21 tonight's hearing. I plan on submitting more detailed  
22 written comments prior to the close of the public  
23 comment period, but wish to relay some of my concerns  
24 of a more general nature this evening.

25 As CALFED is aware, this program has

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1 received support from the Congress in the past. I,  
2 along with most of the members representing the  
3 valley, was an original co-sponser of the bill to  
4 provide 430 million dollars to this program. I am  
5 also in support of providing 143 million dollars in  
6 federal funding to the Bay-Delta program for FY99.

7 This support, however, is predicated upon the  
8 understanding that the overriding purpose of the  
9 Bay-Delta Program is to provide for balanced solutions  
10 to California's water problems.

11 In order to achieve these goals, it is  
12 critical that CALFED recognize the importance not only  
13 of restoring the San Francisco Bay-Delta estuary, but  
14 also the importance of providing for increased water  
15 supply reliability for California's water users.  
16 These solutions must be comprehensive, long-term and  
17 dependable, and must consider and mitigate the  
18 economic impact to agriculture water user groups. In  
19 order to address the economic impact to agriculture  
20 and other water users, additional conveyance and  
21 storage facilities are a key element of any final  
22 package. I share the vision of many at the hearing  
23 tonight that this process can and will be successful  
24 if these goals are met.

25 Again, I thank CALFED for the

1 opportunity to submit my comments.

2 This is on behalf of Congressman Gary  
3 Condit.

4 MR. BOTTIVICH: Just so we are clear on  
5 the ground rules, I attributed that time to  
6 Congressman Condit.

7 MR. NELSON: I appreciate that very  
8 much. I can take a breath then.

9 MR. BOTTIVICH: I didn't want to say  
10 that earlier; but I don't want to start a precedence.

11 MR. NELSON: Again, I am Dan Nelson. I  
12 am the Executive Director of the San Luis Delta  
13 Mendota Water Authority, and our water authority  
14 represents 32 Federal contracting districts,  
15 prominently on westside of the San Joaquin Valley; but  
16 we also skip over into the coastal range and serve the  
17 CCP contractor over there as well.

18 We were signatories to the Bay-Delta  
19 core and has spent several years addressing a lot of  
20 the issues and working very hard, spending a lot of  
21 resources on dealing with Bay-Delta issues; and we  
22 feel that CALFED is an incredible opportunity.

23 Through CALFED, we have the opportunity  
24 to be able to implement a vision for California on  
25 what it is that we want California to look like in 30

1 to 50 years. It's incredibly challenging, but also  
2 there's an amazing opportunity that we, right now,  
3 have through CALFED; and we do have the ability  
4 through a balanced CALFED, to be able to enhance  
5 fisheries and enhance environmental resources, meet  
6 California's expected inevitable population growth;  
7 meet water quality standards for population growth,  
8 and for the folks in this room, as important or more  
9 important, we can also meet an sustainable economy  
10 well off into the future. We have that capability  
11 within CALFED, if we look at it through a balanced  
12 approach.

13 I got to tell you, though, agriculture  
14 is a concern. We see a lot of the safety net of  
15 what's built into CALFED, if we are not able to obtain  
16 this grandiose vision. The safety net is land  
17 retirement for agriculture and that just isn't  
18 acceptable, and I don't think it can be expected to be  
19 acceptable to the agricultural industry that its water  
20 supply is going to be the safety net for future  
21 environmental needs or a growing population in the  
22 State.

23 We are going to need additional  
24 facilities for both water users and the environment in  
25 the future in order for us to obtain this balanced

1 vision in 30 to 50 years.

2 There is one specific thing that hasn't  
3 been commented on tonight that I would like to  
4 mention, that I don't think that we have the luxury to  
5 over look and, that is, this teared, or -- well this  
6 teared implementation approach that CALFED has in  
7 EIR/EIS. Right now we are talking about some  
8 long-term facilities, et cetera. There's a large  
9 group of agricultural groups that have had several  
10 hundred thousand acre feet of their water allocated  
11 and are water short today.

12 They are unsustainable where they are  
13 at today. The only reason that they have been able to  
14 get through the last four or five years is because of  
15 the incredibly wet weather we have had; but we'll get  
16 back to normal weather patterns, it isn't sustainable.

17 We need an interim plan that takes that  
18 into consideration. The interim plan is going to have  
19 to have within it a water supply enhancement for those  
20 folks that have already made a down payment to the  
21 environment to kickstart the CALFED process.

22 We will be submitting and working with  
23 your staff on an ongoing basis in submitting our  
24 comments.

25 Thank you very much.

1 MR. BOTTIVICH: Thank you, Mr. Nelson.

2 Mr. Dale Melville; followed by David  
3 Orth; followed by Warren Felger.

4 Mr. Melville.

5 MR. MELVILLE: Let me just start off  
6 with; our firm represents about two dozen agricultural  
7 and urban water users in the San Joaquin Valley and my  
8 remarks today are probably and generally apply to most  
9 of them; but there done specifically on behalf of  
10 myself.

11 Generally, there's a support for CALFED,  
12 I think it's a great effort and I think it needs to  
13 continue. I also strongly support the concerns that  
14 have been expressed on land retirement, I won't go  
15 over those again; and also on the agricultural water  
16 efficiency.

17 The primary concern I would like to just  
18 mention to you tonight is concerns about the linkages  
19 of assurances and that CALFED does follow through with  
20 their motto of, "We will get better together."

21 A concern that I have is that many with  
22 the ecosystem fixes, not all of them but a lot of them  
23 can be more easily implemented, and the concern is  
24 that those will be implemented first; and the more  
25 difficult issue, the water storage supply issues are

1 going to come down at some later time.  
 2 My opening remark, again, mentioned on  
 3 the assurances. It could be a concern that people  
 4 would hold together when someone's program may not get  
 5 initiated for 15 years or so. That's a real concern;  
 6 and I think if that is the case, there needs to be --  
 7 for those programs that are pushed further back, there  
 8 needs to be the linkages and there needs to be some  
 9 interim water supply programs that are put into affect  
 10 that can get -- keep those with their needs that are  
 11 further down the line in that earlier in the program.  
 12 Thank you.  
 13 MR. BOTTIVICH: Thank you very much.  
 14 David Orth; followed by Warren Felger;  
 15 followed by John Giovanetti of the Western Growers;  
 16 and I might add at this point, if there's anyone else  
 17 wishes to speak, please sign the cards.  
 18 Mr. Orth.  
 19 MR. ORTH: Good evening. I am David  
 20 Orth, the General Manager of Westlands Water District  
 21 and I am here on behalf of the six hundred plus water  
 22 users in our district.  
 23 Many of them, I'm sure would like to be  
 24 here tonight, but I understand that they are  
 25 perfecting a new cotton planting technique called,

1 "Planting in the Dark," as we try to catch up with the  
 2 break in the weather.  
 3 Westlands remains committed to the  
 4 CALFED effort. We have always been, and will  
 5 continue to be, a participant in the development of  
 6 California water policy. We commend the CALFED  
 7 effort thus far and as been noted earlier, there's a  
 8 lot of work to do. We remain committed to work with  
 9 you.  
 10 I just want to make a couple of comments  
 11 about one specific soft path solution or alternative  
 12 that continually gets promoted by certain stakeholder  
 13 interests in this state, and that is the water  
 14 conservation and management component.  
 15 We heard earlier, I think the first  
 16 speaker, Mr. McFarland tonight, ask that we not over  
 17 look the benefits of water conservation in agriculture  
 18 as an alternative to facility construction. We have  
 19 also heard -- I know that at the hearing in Ontario  
 20 last night, and I would bet my house on the weeks to  
 21 come, that you are going to hear that if farmers would  
 22 just save, put your percentage here, ten percent, we  
 23 can solve the problem without constructing facilities.  
 24 I want to debunk on that, there are some  
 25 very basic points. This is not rocket science.

1 Water conservation is not new in Westlands, we adopted  
 2 a water conservation management program in 1972, far  
 3 ahead of the adoption of the passage of CVPIA or the  
 4 pursuit of water conservation under the current  
 5 California Water Use Ethic.  
 6 Westlands plan has become the model that  
 7 was used by the Department of Water Resources. Its  
 8 been used by the Bureau of Reclamation in the CVPIA  
 9 requirement and we have presented our program to many  
 10 countries throughout the World. We have applied water  
 11 efficiency that's above the theoretical target that  
 12 was set forth in the DWR Bulletin 1698 objective.  
 13 Our farmers are very efficient and it  
 14 is not possible to achieve additional efficiencies  
 15 without harming the land, the environmental resource  
 16 that we rely on to provide the agricultural production  
 17 in this State.  
 18 In closing, I want to observe that, to  
 19 ask for water conservation from an area that's been  
 20 impacted by chronic water shortages, is an insult to  
 21 the farmers who have developed innovative techniques  
 22 to get by. We need to see hard path solutions, not  
 23 soft path solutions.  
 24 CALFED can play a key role in this.  
 25 You are the State's leaders, both on the State and on

1 the Federal side of resource management, and you can  
 2 educate the public and help us with this issue. If  
 3 we fail to do this, the soft path solution that's  
 4 being advocated, will only lead to a destination where  
 5 farmers are planting for sale signs instead of crops.  
 6 Thank you.  
 7 MR. BOTTIVICH: Thank you, Mr. Orth.  
 8 Warrn Felger; John Giovanetti and Rene  
 9 Forbes.  
 10 I am sorry if I am mispronouncing your  
 11 name.  
 12 MR. FELGER: Warren Felger, for the  
 13 record.  
 14 My comments are entirely extemporaneous.  
 15 In fact, I jotted them down on the back of your  
 16 handout here today; and I am not wearing any  
 17 particular hat because I couldn't decide which one to  
 18 put on.  
 19 I'm a farmer, I'm a water rights lawyer  
 20 and I'm a father, of three no less. As a farmer, I  
 21 fully understand the need for water, I farm the  
 22 westside and we are constantly water short and  
 23 constantly out in the market trying to buy water.  
 24 We also farm land in Madera County that  
 25 maybe some day we will grow homes on.



1 As a water rights lawyer, I have been  
2 involved in water transfers in a significant extent  
3 throughout the State.

4 As a father, and this is probably the  
5 most important of my role here today; because I think  
6 only as a father I can express to you the need for  
7 you, in your role in this effort, and I see in the  
8 back of this, you behold within your power the last  
9 real opportunity to solve the State's most vexing  
10 water supply problem. You all need some pixy dust.  
11 You need to be able to take this pixy dust, waive it  
12 around this State and solve the problem. I don't know  
13 the simple solution to that, even with all my  
14 experience and my different facets, I do not know the  
15 solution to that.

16 I know this is a consensus process,  
17 there is an opportunity to get better together. That  
18 is certainly a good statement of the goal. I don't  
19 know if that's an accurate statement of the means by  
20 which to achieve the goal. Maybe the accurate  
21 statement for that is to become efficient together;  
22 and that is certainly to move water around this State.  
23 To move it in the most efficient, least economically  
24 impacted way throughout the State.

25 If we don't move water down to the San

1 Joaquin Valley, I think you've heard and it is  
2 accurate, that the impacts here will be profound, and  
3 I can tell you that, in all of my roles. There is no  
4 question about that.

5 So, it's not just a matter of a degree;  
6 what is the economic impact of the San Joaquin Valley?  
7 We can't compare that to growing microchips in a  
8 silicone valley. Sure there is quote, unquote,  
9 "subsidized water," it's the interest component. We  
10 rarely hear about the subsidized mortgages; and we  
11 certainly never hear about the subsidized salmon.  
12 That's just not the interest component. There are  
13 different subsidies that go on, there are different  
14 economics that pervade this State, and you must  
15 balance each and everyone of them but, in my view, you  
16 must focus on the market powers.

17 As a farmer, I would much rather die of  
18 economic suffocation, than regulatory strangulation.  
19 That is so important to have those market powers move  
20 the water where it needs to go, and it's not being  
21 moved. It has to move South of the Delta. There are  
22 bottlenecks and you have to figure out what is the  
23 best of the three choices to move that water.

24 Not just for the farmers in the San  
25 Joaquin Valley, or even for those poor folks South of

1 the Tehachapi, even though they are doing their very  
2 best, I think, to affect a solution, that is a  
3 Southern California solution and you all know about  
4 that.

5 MR. BOTTIVICH: If you would rap it  
6 up, sir. You are a little over the three minutes.

7 MR. FELGER: Fair enough.

8 The Number One Alternative I think would  
9 affect the status quo and continue to do harm to much  
10 of the State. The Number Two Solution, moving water  
11 through the Delta is a step in the right direction.  
12 Number three I think it's best because it gives the  
13 opportunity for the market to affect the movement of  
14 water; and I view that the essential moving of water  
15 from ag to ag. Let's affect that efficiency and I  
16 think we will go a long way to solve a lot of the  
17 State's problems.

18 MR. BOTTIVICH: Thank you, Mr.  
19 Felger.

20 John Giovanetti then Rene Forbes.

21 MR. GIOVANETTI: Good evening. My name  
22 is John Giovanetti, I apologize for any delay I might  
23 have caused you. I had a priority track meet to go to  
24 prior to this. We didn't win the meet, but my son won  
25 his event. I am gratified with that.

1 My name is John Giovanetti for the  
2 record. I am a third generation farmer in the Huron  
3 area. I farm in Westlands water district. My family  
4 has been farming on the westside since the 1930's and  
5 in the Sacramento Valley since 1950.

6 Our farm is a family run business  
7 consisting of my dad, my two brothers, two nephews and  
8 me. We farm a variety of crops, including eleven  
9 different variety of melons, dry bean, flower hay and  
10 other vegetable and grain crops.

11 Tonight I would like to wear two hats;  
12 one as a farmer and one as a member of the Board of  
13 Directors of the Western Growers Association. We  
14 share the same views on this subject and I feel  
15 comfortable saying that my comments here would be  
16 agreed upon or concurred with most of my fellow  
17 members of the Western Growers Association.

18 First, let me say that I strongly  
19 believe that a solution to managing the Sacramento/San  
20 Joaquin Delta is critical to all of California. For  
21 CALFED to be successful, it must arrive at an  
22 equitable solution, one in which all parties get  
23 better together. California farmer and ranchers and  
24 rural communities, in which we live, will judge the  
25 CALFED preferred alternative based on this principle



1 of equity. Western Growers will also submit extensive  
2 comments, I just like to touch upon several issues of  
3 importance to the Association and me personally.

4 MR. BOTTIVICH: Were you hear, or do  
5 you understand the time limits when I explained them?

6 MR. GIOVANETTI: No, but I got the idea  
7 since I got here.

8 MR. BOTTIVICH: Okay.

9 MR. GIOVANETTI: While land retirement  
10 is technically off the table as a strategy for  
11 reducing agricultural water demand, there continues to  
12 be some who champion the benefits from extensive  
13 farmland South of the Delta. Agricultural land  
14 retirement for the purpose of demand management must  
15 remain off the table if agriculture is to support the  
16 final CALFED solution.

17 The numbers of acres of agricultural  
18 land proposed to be retired or converted is of great  
19 concern.

20 The ecosystem restoration program calls  
21 for the conversion of 127,300 to 152,000 acres of  
22 agricultural land to wildlife habitat, and will  
23 relocate the associated water from agriculture to the  
24 environment.

25 CALFED also proposes to retire 35

1 thousand to 45 thousand acres in drainage problem  
2 areas; construction of levees, the use of setback  
3 levees, et cetera. It would also require an  
4 additional -- which would require an additional 34  
5 thousand to 117 thousand acres.

6 Large scale retirement and conversion of  
7 agricultural land and water as part of CALFED's  
8 solution for the Bay-Delta will have an enormous  
9 economic and social consequences. Land retirement as  
10 a means to reducing or eliminating drainage to improve  
11 water quality that agriculture understands and  
12 accepts.

13 Agriculture also recognizes that some  
14 agricultural lands will come out of production as a  
15 result of levee and storage construction.

16 California is the number one  
17 agricultural state in the nation. Fresno County  
18 being the biggest of those and producing more than  
19 half of the nation's vegetables fruits and nuts.

20 Nearly two-thirds of the 1996 district  
21 on farm income was from the 18 counties that make up  
22 the Central Valley, the area most significantly  
23 impacted by the CALFED program. In these 18  
24 counties, agricultural accounts for 28 percent of all  
25 employment.

1 MR. BOTTIVICH: You are somewhat over  
2 your time, sir.

3 MR. GIOVANETTI: I would just like to  
4 comment -- I would just like to conclude by saying  
5 that; if you take the water away from the land, you  
6 render the land unfarmable and I think to render the  
7 most productive and the safest food supply in the  
8 world neutral, would be a great mistake. After all,  
9 I much prefer eating fresh fruits and vegetables over  
10 fish.

11 MR. BOTTIVICH: Thank you.

12 Mr. Forbes.

13 MR. FORBES: I want to thank you all  
14 for being here and it's hard for someone who is not a  
15 public speaker to come up here and talk to you, so I'm  
16 going to be very brief.

17 I am a farmer in Westlands water  
18 district and I'm in Priority Two, so I'm allowed 1.3  
19 acre feed for a crop of almonds that I grow; so I have  
20 to be very efficient and very conservative in my water  
21 usage because it takes three acre feet to produce that  
22 crop.

23 So; one, I do not my land retired, I  
24 don't want my neighbor's land retired. So I hope  
25 that -- I am speaking purely as a person, a farmer who

1 is concerned, that I need my water supply to be  
2 affectively administered to my outlets; so that when I  
3 need the water, I have it available to me; and I do  
4 feel that you guys have the ability to make a good  
5 plan, and I am for your Third Alternative. I think  
6 that's a good one; and I just don't want to see  
7 agriculture paying a large percentage when you -- one  
8 of issues that you brought up there at the start was,  
9 "Who is going to pay for it?"

10 I want everyone to pay for it; because  
11 right now, I feel that a large portion of my money  
12 that I have to pay for my water is going for  
13 environmental uses and even in that area, some of it's  
14 being used for recreation. It's not even being given  
15 to natural habitat or fisheries or things like that.

16 So I want that money that is being  
17 collected to be used wisely, and that not having  
18 agricultural being the one paying most of the load;  
19 and with that, I just want to thank you, again, for  
20 coming. I wish more farmers, like myself, could be  
21 here to speak personally to you, but it's hard and  
22 there are a lot that hopefully will submit comments in  
23 writing.

24 And thank you.

25 MR. BOTTIVICH: Thank you very much,

1 Ms. Forbes.  
2 That concludes the cards I have; unless  
3 there is someone else who wishes to sign up to speak,  
4 I would like, on behalf of all the decision making  
5 parts of CALFED Bay-Delta and all the CALFED Bay-Delta  
6 staff, to thank all of you, and those who have already  
7 left, for a very informative and eloquent series of  
8 statements tonight.

9 Thank you very much for coming.

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11 (PROCEEDINGS CONCLUDED)  
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3 COUNTY OF SAN JOAQUIN} SS:  
4

5 I, PAUL M. ROBLES, Shorthand Reporter of  
6 the State of California, do hereby certify:  
7 That on the 22nd day of April, 1998, at  
8 the hour of 7:00 p.m., the hearing was taken before me  
9 as a Court Reporter, I took down in shorthand notes  
10 the said hearing and the proceedings had at the time  
11 of such hearing; that I thereafter transcribed by  
12 shorthand notes of such hearing by computer-aided  
13 transcription, the above and foregoing being a full,  
14 true and correct transcription thereof, and a full,  
15 true and correct transcript of all proceedings had.

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# CALFED BAY-DELTA

# Condenselt™

# fish - Huron

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								82:25	84:5	86:22		29:10



29:13	30:1	30:12	8:23	32:17	32:18	wonder [1]	59:23		
30:20	30:24	32:1	waterwork [1]	58:19		word [1]	66:24		
32:9	32:9	32:16	Waymire [5]	31:15		words [1]	64:22		
33:2	33:7	33:13	34:1	37:22	38:2	workable [1]	43:16		
34:10	34:24	34:25	38:3			worked [1]	34:13		
35:3	35:23	36:10	ways [2]	48:25	58:9	workers [1]	60:2		
36:11	36:21	36:23	wear [1]	84:11		works [3]	2:16		
36:25	37:9	37:10	wearing [1]	80:16		33:11	54:19		
37:14	38:19	39:13	weather [3]	75:15		world [6]	18:8		
39:15	39:19	39:20	75:16	78:2		20:2	28:25	42:22	
41:5	41:8	41:9	Weber [2]	1:23		79:10	87:8		
41:12	41:15	41:16	90:24			worlds [1]	21:16		
41:18	41:23	41:24	Wednesda [1]	1:13		worst [1]	40:2		
42:1	42:4	42:5	week [1]	3:5		writing [4]	14:19		
42:13	42:23	43:12	weeks [1]	78:20		37:7	50:23	88:23	
43:22	44:1	44:19	weight [2]	61:3		written [6]	14:14		
45:15	45:16	45:18	61:5			14:22	17:7	21:12	
46:13	46:21	46:24	welcome [1]	2:1		35:15	71:22		
47:3	48:8	48:8	welfare [2]	52:21		wrong [1]	58:13		
48:23	49:9	49:10	60:5			Y-U-G-O [1]	63:12		
49:21	49:24	49:25	Western [8]	44:14		Yates [1]	4:9		
50:22	51:8	51:24	44:18	50:14	51:5	year [10]	13:11	29:17	
52:17	53:7	53:22	77:15	84:13	84:17	34:16	34:16	39:4	
54:2	54:5	54:15	85:1			49:3	54:8	56:13	
54:17	55:16	56:3	Westland's [2]	49:8		56:23	68:19		
56:7	56:8	56:16	49:25			years [20]	12:10		
57:2	57:15	57:17	Westlands [9]	44:19		12:14	13:12	26:10	
57:17	57:18	57:20	47:3	71:10	77:20	29:14	39:17	41:25	
57:22	58:2	58:14	78:3	79:1	79:6	45:16	46:7	46:8	
58:19	61:11	62:14	84:3	87:17		52:25	55:17	60:6	
62:25	63:1	63:3	westside [13]	18:20		65:25	69:22	73:19	
63:16	64:1	64:4	18:21	37:25	41:13	74:1	75:1	75:14	
64:11	64:11	64:14	41:20	41:25	43:22	77:5			
64:18	64:23	64:23	44:17	47:24	48:1	yellow [3]	3:11		
65:7	67:5	67:21	73:15	80:22	84:4	14:8	15:1		
67:25	68:18	68:19	wet [2]	29:14	75:15	yet [4]	10:10	11:4	
68:23	68:23	68:25	wheat [1]	18:4		70:13	70:15		
68:25	69:2	69:5	whole [3]	23:20		Yugo [2]	63:9		
69:6	69:7	69:8	59:3	61:1		65:10			
69:10	69:12	69:16	wide [2]	24:4	30:4	zone [1]	67:9		
69:16	69:22	70:24	widens [1]	63:15		} [3]	1:1	1:2	
71:10	72:10	72:14	wildlife [6]	16:8		90:2			
72:15	72:18	72:20	16:16	16:22	32:21				
73:13	73:13	74:7	61:4	85:22					
74:19	74:24	75:10	willing [5]	8:7					
75:11	75:19	76:7	8:7	15:12	22:15				
76:15	76:25	77:9	51:10						
77:20	77:21	78:6	win [2]	61:23	83:24				
78:13	78:17	79:1	wind [3]	7:2	7:4				
79:2	79:4	79:5	14:10						
79:7	79:10	79:19	wisely [2]	60:19					
79:20	80:19	80:21	88:17						
80:22	80:23	81:1	wish [3]	14:25	71:23				
81:2	81:10	81:22	88:20						
81:25	82:9	82:20	wishes [2]	77:17					
82:23	83:10	83:14	89:3						
83:14	84:3	85:11	wishing [1]	3:17					
85:23	86:7	86:11	within [9]	6:11					
87:5	87:17	87:20	8:23	44:19	58:10				
88:1	88:3	88:12	66:3	71:2	74:11				
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water-use [2]	35:5		without [6]	2:6					
36:11			36:18	44:9	52:16				
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22:6	49:22								
waters [4]	48:2								
48:12	48:18	49:14							
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19:19	32:13	32:15							
33:1	68:16								
watersheds [4]	8:22								